IN RE: PETITION FOR ZONING VARIANCE S/S Crondall Lane, 380' E of the c/l of Bonita Avenue (3717 Crondall Lane) 4th Election District

* ZONING COMMISSIONER * OF BALTIMORE COUNTY

3rd Councilmanic District * Case No. 89-200-A Joseph L. Cardinale

Petitioner

* * * * * * * * * *

for Baltimore County

ORDER OF DISMISSAL

Pursuant to the receipt of a written request for withdrawal from

Petitioner's Counsel, IT IS ORDERED by the Zoning Commissioner for Baltimore County this _5# day of January, 1989 that the above-referenced matter be and

Zoning Commissioner

cc: G. Scott Barhight, Esquire Whiteford, Taylor & Preston 300 Lafayette Building 40 W. Chesapeake Avenue, Towson, Md. 21204

the same is hereby DISMISSED without prejudice.

People's Counsel

PETITION FOR ZONING VANIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 255.2 to permit a side yard setback of 31 feet in

lieu of the required 50 feet and from Section 253.4 to permit

of a residential zone
loading within 5 feet/in lieu of the required 100 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

The legal owner purchased the existing improvements believing them to be in compliance with the law. The building cannot be moved or altered to bring it within compliance with the zoning regulations. If the legal owner is not able to enjoy the use of the building a tremendous hardship will be forced upon him. The variance, if granted, will not be harmful to the health, safety or welfare of the citizens of Baltimore County.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County,

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Potition.

		which is the subject of this Pention.			
Contract Purchaser:		Legal Owner(s):		MAP NW	
	· · · · · · · · · · · · · · · · · · ·	Joseph L. Card	inale	2	
(Type or Print Name)		Type or Print Name	1.1	E. D. 41	
Signature		Signature	M.W.9	DATE 3-20	
) Address		(Type or Print Name)	1000	
City and State		Signature		OP	
Sattorney for Petitioner:					
G. Scott Barhight	. ·				
(See or Print Vance)	·	Address	Ph	one No.	
A DECEMBER OF THE PROPERTY OF					

City and State 40 West Chesapeake Avenue Name, address and phone number of legal owner, contract purchaser or representative to be contacted Towson, Maryland 21204 G. Scott Barhight

ORDERED By The Zoning Commissioner of Baltimore County, this ___

City and State 40 West Chesapeake Avenue Attorney's Telephone No.: 832-2000 Towson, Maryland 21204 832-2000

County, on the 2nd day of Keenber, 1988, at 9 o'clock

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act

identified herein in Room 106 of the County Office Building, located at 111

W. Chesapeake Avenue in Towson, Maryland as follows:

SENTING SCHOOLEDS FRIDAY, DELEMEN 2, 1988 at 9:00 a.m.*

loading within 5 ft. of a residental zone in lieu of the required 100 ft.

and Regulations of Baltimore County will hold a public hearing on the property

Variance to permit a side yard setbeck of 31 ft. in lisu of the required 50 ft. and to permit

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however,

entertain any request for a stay of the issuance of said permit during this

period for good cause shown. Such request must be in writing and received in

this office by the date of the hearing set above or presented at the hearing.

Development Engineering Consultants, Inc. Site Engineers & Surveyors

OUTLINE DESCRIPTION TO ACCOMPANY PETITION FOR ZONING VARIANCE

FOR LOT #2

LOCATED IN THE FOURTH ELECTION DISTRICT OF BALTIMORE, COUNTY. Beginning for the same at a point on the North 08 degrees 49 minutes 27 seconds West 803.00 foot line, said point being distant 224.93 feet Southeasterly from the southern right-of-way line of Crondall Lane. Thence for the following 4 courses and distances viz: (1) North 78 degrees 18 minutes 32 seconds West, 228.76 feet; (2) South 08 degrees 49 minutes 27 seconds East 359.44 feet; (3) South 81 degrees 10 minutes 33 seconds West, 228.48 feet; (4) North 08 degrees 49 minutes 27 seconds West 348.00 feet to the point of beginning.

Containing 1.82 acres of land more or less.

86-136 09-09-88

6603 York Road Baltimore, Maryland 21212 (301) 377-2600

BALTIMORE COUNTY, MARYLAND
OFFICE OF MICE-REVENUE DIVISION MISCELLANEOUS CASH RECEIPT DATE 9-14-84 DUNT R-01-615-000 FOR Commercial Variance Filing For

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

28th a day of <u>September</u>, 1988.

Petitioner Joseph L. Cardinale

G. Scott Fachiofit

Petitioner's

County Office Building

111 W. Chesapeake Avenue

Towson, Maryland 21204

Your petition has been received and accepted for filing this

Received by:

James E. Dyer

Advisory Committee

Chairman, Zoning Plans

B 8167****10000:a 815%F VALIDATION OR SIGNATURE OF CASHIER

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

J. Robert Haines

G. Scott Barhight, Esq. 40 M. Chesapsaka Avenue Towson, Maryland 21204

Re: Petition for Zoning Variance CASE MUMBER: 89-200-A SS Crondall Lame, 380' E c/l Bonita Avenue (3717 Crondall Lane) 4th Election District - 3rd Councilmenic Petitioner(s): Joseph L. Cardinale HEARING SCIEDULED: FRIDAY, DEDEMBER 2, 1988 at 9:00 a.m."

Dear Fir. Barhights

Please be advised that ____ is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204 fifteen (15) minutes before your hearing is scheduled to begin.

Please note that should you fail to return the sign and post set(s), there will be an additional \$25.00 added to the above fee for each set not returned.

Very truly yours,

J. Robert Haines J. ROBERT HAINES Zoning Commissioner of Baltimore County

Baltimore County

G. Scott Carhight, Esq.

Zoning Commissioner of

ROBERT HAINES

IF PHASE II OF THE SNOW EMERGENCY
PLAN IS IN EFFECT IN BALTIMORE COUNTY BY 8:30 a.m. ON THE DATE OF THE ABOVE HEARING, SUCH HEARING WILL BE POSTPONED AND TENTATIVELY RE-SCHEDULED FOR THURSDAY, JANUARY 12, 1988. PLEASE TELEPHONE DOCKET CLERK AT 494-3391 TO CONFIRM DATE.

Reltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204

G. Scott Barhight, Esq.

40 V. Dresapeake Avenue

Towson, Maryland 21204

Re: POSTPONEMENT REQUEST

Dear Sir: This to acknowledge receipt of your postponement request

regarding the following petition: Case number: 89-200-A Petitioner(s): Joseph L. Cardinale Location: SS Crondall lane, 380' E c/l Bonita Avenue

Please be advised that your request [X] will [] will not be granted, and as such, the case [] will [x] will not proceed on the assigned date of _______

Where applicable, you will be timely notified of the new hearing date.

> J. ROBERT HAINES
> ZONING COMMISSIONER BALTIMORE COUNTY, MARYLAND

(3717 Crondall Lane)

JRH:gs

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE November 25, 1988

COUNTY OFFICE BLDG. 111 W. Chesapeake Ave. Towson, Haryland 21204

G. Scott Barhight, Esquire 40 West Chesapeake Avenue Towson, Maryland 21204

Dear Mr. Barhight:

RE: Item No. 109 - Case No. 89-200-A Petitioner: Joseph L. Cardinale Petition for Zoning Variance

Bureau of Department of State Roads Commissi

Health Department Project Planning **Building Department** Board of Education Zoning Administratio

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

Very truly yours, JAMES E. DYER Chairman Zoning Plans . tvisory Committee

JED:dt

Enclosure

cc: Development Engineering Consultants, Inc. 6603 York Road Baltimore, MD 21212

ccts File

Baltimore County

494-3353

Zoning Commissioner Office of Planning & Zoning

Petition for Zoning Variance

SS Crondell Lans, 380° E c/l Bonita Avenue

4th Election District - 3rd Councilments

Petitioner(s): Joseph L. Cardinale

CASE NUMBER: 89-200-A

(3717 Crondall Lane)

Towson, Maryland 21204

Baltimore County Department of Public Works **Rureau of Traffic Engineering** Courts Building, Saite 405 Towson, Maryland 21204 494-3554

October 28, 1988



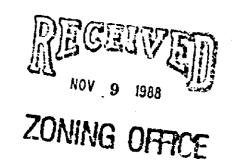
Mr. J. Robert Haines Zoning Commissioner County Office Building Towson, Maryland 21204

Dear Mr. Haines: The Bureau of Traffic Engineering has no comments for items number 105, 106, 108, 109, 110, 111, 113, and 114.

Very truly yours,

Michael S. Flanigan Engineering Associate

MSF/lvw



Baltimore County Fire Department Towson, Maryland 21204-2586 494-4500 Paul H. Reincke September 28, 1988 J. Robert Haines Zoning Commissioner Office of Planning and Zoning Baltimore County Office Building Towson, MD 21204 Re: Property Owner: Joseph L. Cardinale Location: SS Crondall La., 380' E. c/l of Bonita Avenue 3717 Crondall Lane Item No.: 109 Zoning Agenda: September 27, 1988 Gentlemen: Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property. () 1. Fire hydrants for the referenced property are required and shall be located at intervals or ____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works. () 2. A second means of vehicle access is required for the site. () 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department. () 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation. (x) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Pro-tection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy. () 6. Site plans are approved, as drawn. () 7. The Fire Prevention Bureau has no comments at this time. REVIEWER: Light Joseph Moted and Approved:

Planking Group

Special Inspection Division

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines Zoning Commissioner October 28, 1988 Dennis F. Rasmussen
County Executive G. Scott Barhight, Esquire Whiteford, Taylor & Preston 300 Lafayette Building 40 West Chesapeake Avenue Towson, MD 21204 RE: Petition for Zoning Variance Petitioner: Joseph L. Cardinale 3717 Crondall Lane Item #109; Case #89-200 Dear Mr. Barhight: As per your letter of October 19, 1988 to J. Robert Haines, Zoning Commissioner, and our phone conversation today, concerning the above referenced petition that was filed due to a permit application and a conflict with the Baltimore County Zoning Regulations caused by adjacent residential zoned property, you have requested that this office honor the new zoning map changes and agree to a dismisal of the case. As we discussed, and I informed you, this office cannot act or relinquish a requirement due to a zoning map change until the maps become effective in late December 1988 or early January 1989. If you have any further questions concerning your request, please contact me in this office. Very truly yours, By: W. Carl Richards, Jr W.C.R., Jr.:scj

OFFICE OF THE BUILDING ENGINEER TOWSON, MARYLAND 21204 3717 CRONDALL LA. JOSEPH L. CARDINATE 74 GWYNNS MILL CT. OWINGS MILLS ND. 21117 HANCOCK & SESSES ALBANESE INC. P.O. BOX 710 RIDERWOOD ND. 21139 BUILDING CONTRACTOR HANCOCK & ALBANECE INC. SSR CRONDALL LA. TRANSFER DESCRIPTION A. TYPE OF IMPROVEMENT C. TYPE OF USE NON-RESIDENTIAL HEW BUADING CONSTRUCTION 01 ONE FAMILY AMUSEMENT, RECREATION, PLACE OF ASSEMBLY ADDITION 2 TWO FAMILY ALTERVATION THREE AND FOUR FAMILY FIVE OR MORE FAMILY JENTER NO LINE SERVICE STATION BEPAIR GARAGE DESCRIBE PROPOSED INCRIC | 1 AND 2 FAM CODE 16 THE JUBIL OFFICE OF PLANTING VEHICLES WILL NOT BE PARKED INSIDE OF MOOL OF BUILDING EDU BLDG. INT. ALT. TO INCLUDE PARTITIONS CONCRETE FOR NEW OFFICE SPACE. CABINETS, NEW VINDOWS & OVERHEAD DOOR. BLDG. CONST. IN 1968. DATA SHEETS WAIVED RES 7/21/88- NOME B. OWNERSHIP

OK TO FILE, HOLD FOR CS INNER GITES FALE FOR SOUNTIAL ONLY

21. TANK, TOWER

TANK, TOWER

TRANSIENT HOT

TANK TOWER

TRANSIENT HOT

TO FILE HOLD FOR CS INNER GITES FALE FOR SOUNTIAL ONLY

22. TRANSIENT HOT

TRANSIENT HOT

TO FILE HOLD FOR CS INNER GITES FALE FOR SOUNTIAL ONLY

23. OTHER 24 PROPOSED USE(S) SAME & ALT. FOR OFFICE SPACE \$ \$18,000 00 EXISTING USE(S) WAREHOUSE TOK JEH CONSTRUCTION TYPE OF WATER DUTTER

CONDITION STEEL TO PROPOSED

CONDITIONED ON THE GRANT OF THE PERMIT E. RESIDENTIAL ONLY SINGLE FAMILY UNITS MULTI FAMILY UNITS HOW MANY APARTMENTS HAVE EFFICIENCY INO SEPARATE BEDROOMS A PATER OF SEMEN PRIVATE SYSTEM THESTS PROPOSED DIMENSIONS HANCOCK & ALBANESE INC. P.O. BOX 710 RIDERWOOD ND. 21139 \$135.00 + 5 RECEIPT NO A-011392 . THE GREENFIELD PROP PLANNING 55 95 IMPROVED 07

Baltimore County Zoning Commissioner
Office of Planning & Zoning Towson, Maryland 21204 J. Robert Haines Zoning Commissioner

Mr. David Albanese Hancock and Albanese Inc. P.O. Box 710 Riderwood, Maryland 21139



RE: Building Permit No. C-1428-88 3717 Crondall Lane 4th. Election district

Dear : Mr. Albanese,

A.T.6.

The Zoning Office cannot approve the above referenced building permit application for the following reason(s):

C.R.G-IV-291

Previous permit # C-404-71

__XX __ Improper setbacks Improper use Improper location Inspection of the property must be made Insufficient information on permit REVISED PLANS (9 COPIES) MUST BE SUBMITTED TO COUNTER IN ROOM 100, COUNTY OFFICE BUILDING, 111 WEST CHESAPEAKE

AVENUE, TOWSON, MARYLAND. ALL PLANS MUST BE ACCOMPANIED BY A COVER LETTER LISTING THE REVISIONS AND REFERENCING THE PERMIT AND CONTROL NUMBER. REVISED PLANS MUST BE SUBMITTED IN PERSON. ______ Compliance with S. 253.4 and 255.2 (Baltimore County Zoning regulations) attached. Fifty foot setbacks and no loading permitted within the 100 ft. RESTRICTED USE AND INCREASED

SETBACK RESTRICTION AREA. Variances may be requested at a public hearing. Include the sections and the restricted area on the plans. Amend the 7/16/86 C.R.G. plan-, see comments attached and copy of original permit.

If you have any further questions, you may contact me at 494-3391.

Very truly yours,

Zoning Coordinator

cc: Zoning File Planning File Joseph L. Cardinale, 74 Gwynns Mill Court, Owings Mills, Md. 21117

BALTIMORE COUNTY, MARYLAND

SUBJECT: COUNTY REVIEW GROUP COMMENTS 11-291

05/14/86 PROJECT NAME: CARDINALE OFFICE BUILDING S/S Crondall Lane

E. of Bonita Avenue REVISED PLAN KEY: COMPLIANCE WITH COMMENT CHECKED NON-COMPLIANCE IS CIRCLED O 4th Election District ADDITIONAL COMMENTS ADDED LAST

Show the 100 foot residential zone restriction line and note that only passenger automobile accessory parking and M.R. zone uses are permitted - Section 253.4 (B.C.Z.R.).

Correct the F.A.R. to 2.0 permitted.

Cindicate the use of the southern parking lot and the underground storage. Loading or equipment storage would not be permitted within 100 feet of the residential zone.

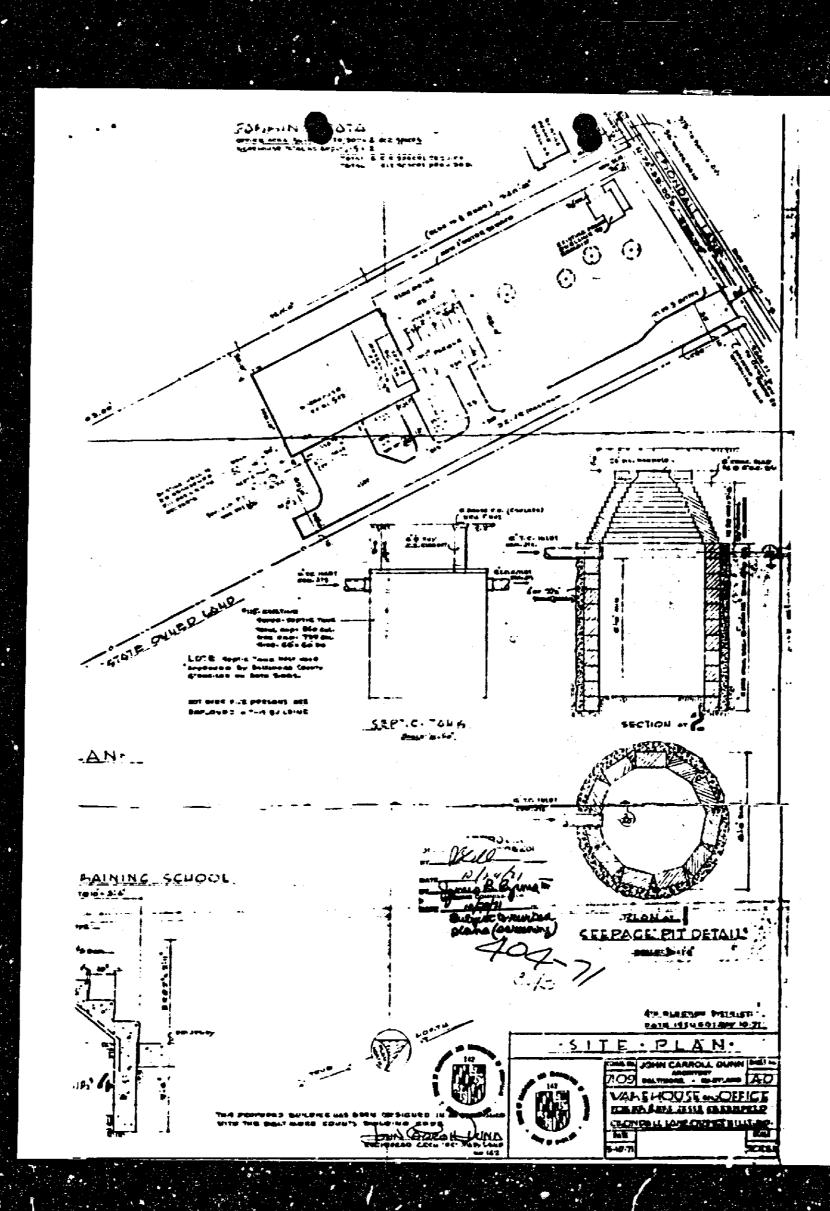
Show parking spaces and dimensions, setbacks, driveway and entrance

data for Lot #2 and reference any county

Zoning Coordinator

Added after pre-C.R.G. 7/7/86

6) When this property is subdivided into two lots as shown, this office will have no objection to the access for the rear lot #2 to be via an easement. If for whatever reason an in fee access would be proposed or required, the building on lot #1 would have to meet all required setbacks to this in fee line, however, if the access is via an easement the setback may be measured from the property boundary (as shown).



LAW OFFICES WHITEFORD, TAYLOR & PRESTON 300 LAFAYETTE BUILDING **SUITE 1400** 500 BRAWNER BUILDING 40 W. CHESAPEAKE AVENUE 888 17TH STREET, NW SEVEN SAINT PAUL STREET TOWSON, MARYLAND 2120 VASHINGTON, D.C. 20006 TELEPHONE 301-425-5512 BALTIMORE, MARYLAND 21202-1626 301 347-8700 WRITER'S DIRECT NUMBER IS TELEX: 5101012334 347-9467 FAX: 301 752-7092 August 30, 1988 J. Robert Haines, Esquire Zoning Commissioner Baltimore County Office of Planning and Zoning Towson, MD 21204 Re: Building Permit No. C-1428-88 3717 Crondall Lane 4th Election District CRG-IV-291 Previous Permit No. C-404-71 Dear Mr. Haines: Please be advised that this office represents Joseph L. Cardinale & Sons ("Cardinale") who is the owner of an office and warehouse building located at 3717 Crondall Lane. My client purchased the property with the existing improvements approximately 18 months ago. The property is zoned ML-IM and the building has been in existence approximately 17 years. Attached is a copy of the CRG plan which was approved on July 16, 1986, for your review. Cardinale has entered into a lease with Hancock & Albanese,

Inc. for a portion of the existing office building. Pursuant to this lease, Hancock & Albanese filed Building Permit No. C-1428-£8 in order to obtain permission for the constructio. of the alternations to the interior leased premises. By letter dated August 18, 1988 to Mr. David Albanese, Mr. W. Carl Richard, Jr., Zoning Coordinator, indicated that the Zoning Office could not approve the building permit because of the building's failure to comply with Zoning Regulations Sections 253.4 and 255.2. If the subject parcel is within 100 feet of any residential zone boundary, Section 253.4 prohibits truck loading and Section 255.2 requires a 50 foot setback from the property line.

When Cardinale purchased the building, they were not aware of any zoning problems with this sate or the improvements. They entered into the lease with Hancock & Albanese in good faith with J. Robert Haines, Esquire August 30, 1988 Page 2

the full expectation that the tenant would be able to alter the premises and operate its business. Due to actions beyond the control of Cardinale, a tremendous hardship is being forced upon the tenant. If the tenant is not able to proceed expeditiously in altering the premises, its business could be substantially harmed.

Cardinale intends to take whatever legal steps necessary to bring the property into compliance with the Zoning Regulations as soen as possible. To that end, my client's civil engineer is currently working on the plans necessary to be filed with a Petition for Variance from Sections 253.4 and 255.2. After reviewing the facts of this case, I believe that an undue hardship will be placed upon not only my client but all tenants of the building if the variance is not granted. As the only alternative to a variance would be the destruction of the building, a practical difficulty also is strongly suggested.

It is important to note that the DR zoning to the east of the property is the Rosewood State Hospital site. Rosewood is wooded in this section and is not used for any residential purposes. Moreover, the Rosewood property is the subject of Issue 3-312 in the current comprehensive rezoning process. Issue 3-312, which was filed by the Office of Planning and Zoning staff and the Economic Development Commission on behalf of the State of Maryland, requests that those portions of the Rosewood property south of Crondall Lane between my client's property and Garrison Forest Road be rezoned ML-IM. With the exception of a portion of the Rosewood property fronting on Garrison Forest Road, the Planning Board has recommended that the vast majority of the Rosewood property be rezoned ML-IM. If the County Council agrees with the recommendations of the Planning Board, the Planning Staff, the Economic Development Commission and the State of Maryland, all of those portions of the Rosewood property adjacent to the Cardinale tract will be rezoned ML-IM.

If the Rosewood property is rezoned as described above, then the Cardinale parcel will not be in violation of Section 253.4 and will meet the 30 foot setback requirements of Section 255.1.

The burden to correct the zoning problems associated with this site should fall only upon the landlord. Unless the building is ordered to be razed by the Zoning Office, these problems should have no impact whatsoever upon the current or prospective tenants of the building.

I can assure you that my client will act diligently to file the necessary variance petition to attempt to cure the zoning problems. In all probability, the County Council will amend the J. Robert Haines, Esquire August 30, 1988

zoning in October prior to any hearing on the Petition for Variances. In that event, the petition would be rendered moot and could be withdrawn.

On behalf of my client, I respectfully request that you review this matter as soon as practical. I will be in contact with your office later this week to offer my assistance. I have had an opportunity to discuss this matter with Mr. Richards and to inform him of the nature of our request.

Thank you for your kind attention to this matter.

Sincerely,

GSB:sb
cc: Mr. W. Carl Richards, Jr.
Mr. Joseph L. Cardinale
Mr. David Albanese
Mr. Samuel B. Shockley
J. Norris Byrnes, Esquire
Priscella C. Caskey, Esquire

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

SUITE 1400 SEVEN SAINT PAIR STREET BALTIMORE, MARYLAND 11202 TELEPHONE 301-347-4700

WHITER'S DORSCT NUMBER IS

832-2050

300 LAFAYETTE BUILDING 40 W. CHESAPEAKE AVENUE TOWSON, MARYLAND 21204 301 825-5512 FAX: 301 296-2885

888 17TH STREET, NW WASHINGTON, D.C. 20006 TELEPHONE 202-835-0606

October 19, 1988

ONING OFFICE

County Office Building
Towson, Maryland 21204

Re: Petition for Zoning Variance
Petitioner: Joseph L. Cardinale
3717 Crondall Lane

Item No. 109

Dear Mr. Haines:

J. Robert Haines, Esquire

Office of Planning and Zoning

Zoning Commissioner

Baltimore County

On September 14, 1988, a Petition for Zoning Variance from Section 255.2(243) to permit a side yard setback of 31 feet in lieu of the required 50 feet and from Section 253.4 to permit loading within 5 feet of a residential zone in lieu of the required 100 feet was filed. Attached is a copy of my August 30 letter to you which explains how Mr. Cardinale came to file the Petition for Zoning Variance.

As I mentioned in that letter, the zoning variance was required because the property was contiguous to D.R. zoning (the Rosewood State Hospital site). Now that those portions of the Rosewood site which abut the Cardinale property have been rezoned by the County Council to ML-IM (Issue 3-312) my client's property will be in compliance with the zoning regulations as soon as the County Executive signs the comprehensive rezoning bills. The existing 31 foot side yard meets the 30 foot side yard requirement of Section 255.1(238.2). Additionally, as the property will no longer be within 100 feet of a residential zone, the requirements of 253.4 are not applicable.

J. Robert Haines, Esquire October 19, 1988 Page 2

If your office is in agreement with this assessment, the property will be in compliance with the zoning regulations and the petitions should be withdrawn. Please review this matter and respond at your earliest convenience. Thank you for your continued cooperation in finding a flexible and equitable resolution to this problem.

Scott Barbisht

GSB:sb
Enclosure
cc: Mr. W. Carl Richards, Jr. (w/encl.)
Mr. Joseph L. Cardinale
Mr. Samuel B. Shockley
J. Norris Byrnes, Esquire
Priscilla C. Caskey, Esquire

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

SUITE 1400
SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202
TELEPHONE 301-347-8700
WRITER'S D.RECT NUMBER IS

832-2050

300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 825-5512
FAX: 301 296-2885

SUITE 400 888 17TH STREET, NW WASHINGTON, D.C. 20006 TELEPHONE 202-835-0606

October 26, 1988

Ms. Gwen Stephens Docket Clerk Office of Planning & Zoning County Office Building Towson, Maryland 21204

> Re: Petition for Zoning Variance Petitioner: Joseph L. Cardinale 3717 Crondall Lane Item No. 109 Case No. 89-200-A

Dear Ms. Stephens:

By Notice of Hearing dated October 17, 1988, the above case has been scheduled for hearing on December 2, 1988 at 9:00 a.m. As this Petition will probably be rendered moot by the adoption of the 1988 Comprehensive Zoning Maps, I respectfully request that the hearing date be postponed.

I have discussed this matter with Mr. Carl Richards by telephone on October 26, 1988. Mr. Richards agrees that a postponement of the hearing date would be an effective way to address this issue.

The adoption of the new zoning maps will probably occur sometime in December. As soon as the maps are effective, I will contact your office to confirm whether the petition is moot. If in fact the petition is moot, it will be withdrawn by the petitioner. If it is not moot, we will need to reschedule the hearing and proceed.

ONING OFFICE

Ms. Gwen Stephens October 26, 1988 Page 2

Should you have any questions regarding this matter, please feel free to contact me. Thank you for your kind attention to this matter.

Sinferely.

GSB:sb
cc: J. Robert Haines, Esquire
Mr. W. Carl Richards, Jr.
Mr. Joseph L. Cardinale
Mr. Samuel B. Shockley
J. Norris Byrnes, Esquire
Priscilla C. Caskey, Esquire

LAW OFFICES

WHITEFORD, TAYLOR & PRESTON

SLITE NOR
SEVEN SAINT PALE STREET
BALTIMORE, MARTIAND 11.002
TELEPRONE SIGNAL ATM

WEITER'S DIRECT PLANCE IS

832-2050

300 LAFAYETTE BUILDING
40 W. CHESAPEAKE AVENUE
TOWSON, MARYLAND 21204
301 825-5512
FAX: 301 296-2885

November 29, 1988

Ms. Gven Stephens Docket Clerk Office of Planning & Zoning County Office Building Towson, Maryland 21204

Dear Ms. Stephens:

Re: Petition for Zoning Variance
Petitioner: Joseph L. Cardinale
3717 Crondall Lane
Item No. 109
Case No. 89-200-A

Confirmation of Postponement

ZONING OFFICE

888 17TH STREFT, NW

This letter will confirm our telephone conversations of November 29 and November 9, 1988. During each of these conversations you confirmed that the hearing in the above matter, previously scheduled for Friday, December 2, 1988 at 9:00 a.m. has been postponed. I am writing this confirmatory letter since I did not receive a Notice of Postponement from your office confirming our November 9 conversation.

In late December 1988 or early January 1989, after the zoning maps become effective, I will dismiss the Petition on the basis that it is moot.

Should you have any questions or comments, please feel free to contact me.

Singerely Scott Barhight

GSB:sb
cc: Mr. W. Carl Richards, Jr.
Mr. Joseph L. Cardinale
Mr. Samuel B. Shockley
J. Norris Byrnes, Esquire
Priscilla C. Caskey, Esquire

LAW OFFICES
WHITEFORD, TAYLOR & PRESTON

SUITE 1400
SEVEN SAINT PAUL STREET
BALTIMORE, MARYLAND 21202
TELEPHONE 301-347-4700
WEITER'S DIRECT NUMBER IS

832-2050

300 Lafayette Building 40 W. Chesapeake Avenue Towson, Maryland 21204 301 825-5512 Fax: 301 296-2885

SUITE 400 888 17TH STREET, NW WASHINGTON, D.C. 20006 TELEPHONE 202-835-0606

December 21, 1988

J. Robert Haines, Esquire Zoning Commissioner Office of Planning and Zoning Baltimore County County Office Building Towson, Maryland 21204 PRECEDIVED

OEC #3 1988

ZONING OFFICE

Re: Petition for Zoning Variance
Petitioner: Joseph L. Cardinale
3717 Crondall Lane
Item No. 109
Case No. 89-200-A

Dear Mr. Haines:

As you may recall from previous correspondence, this Petition has been deferred pending the adoption of the 1988 comprehensive zoning maps. On December 5, 1988, the new maps took effect.

According to the new zoning maps, Mr. Cardinale's property is no longer adjacent to a residential zone. Instead, his property is surrounded by ML-IM zoned land.

As Mr. Cardinale's property is now in compliance with the existing zoning regulations, the Petition for Variance has been rendered moot. Accordingly, the Petitioner respectfully withdraws the above-referenced Petition for Zoning Variance.

If there are any outstanding costs, please forward the invoices to my office for payment. It is my understanding that since Mr. Cardinale's property is now in compliance with the zoning regulations, that he should be able to obtain Zoning Office approval of properly filed building permits.

J. Robert Haines, Esquire December 21, 1988 Page 2

Should you have any questions regarding this matter, please feel free to contact me. On behalf of my client, and this office, I wish to express our appreciation for your flexibility and patience in handling this matter. Have a happy holiday!

GSB:sb

Enclosure cc: Mr. W. Carl Richards, Jr. (w/encl.)
Mr. Joseph L. Cardinale
Mr. Samuel B. Shocklev
J. Norris Byrnes, Esquire
Priscilla C. Caskey, Esquire



CARLIELE MITCHERLING
216 OVERTON AVE. 36515.0M.7Jdg E831-230

RE! VARIANCE TIEM 65, 89-200A,

MRS. ANN NASTRARNICZ DEPUTY ZONING COMMISSIONES COUNTY OFFICE BLOG-TOWSON MD. 21204

I'M SORRY I HAD TO CALL YOUR OFFICE ON SUCH A SHOR NOTICE

HOV-ZB, 1989, REQUESTING A POSTOMENT ON MY ZONING MEETING-DUE TO MY WITE'S UNEXPECTED EZUEDE EMPHYSEMA ATTACK, WHICH MORRIT HER CETTING TO THE DOCTORS OR HOSPITAL , FOR TREATMENT + IT ACCURRED AT THE TIME I WAS LEAVING FOR YONSON.

I CAILED YOUR OFFICE AS SOON AS POSSIBLE -

I HOPE THIS MEETS YOUR APPRIVALE FOR THE POSTPOMENT.

THAKK YOU.

Carlisla Mittherling

